REMARKS

In response to the Office Action, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Discussion of Claim Rejections Under 35 U.S.C. §§ 102(a) and 103(a)

Claims 1, 3-6, 13, 14, 17 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,032,257, to Olarig, et al. (hereinafter "Olarig") in view of U.S. Patent No. 5,513,262, to van Rumpt, et al. (hereinafter "van Rumpt1") and further in view of U.S. Patent No. 5,231,662 (hereinafter "van Rumpt2"). Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Olarig, van Rumpt1, and U.S. Patent No. 5,343,525, to Hung. Claims 7-10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olarig, van Rumpt1, and U.S. Patent No. 5,818,939, to Davis (hereinafter "Davis"). Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Olarig, van Rumpt1, van Rumpt2, and Davis.

One embodiment of Applicant's invention is directed to a system and method that allows for the secure storage of data that is used and created by an individual when using their computer. In one embodiment, encryption hardware may be provided that receives data from a processor in the computer and encrypts the data prior to storing the data on the computer and decrypts the data when it is retrieved from storage. A cryptographic key may be generated that is derived at least in part from received user input and information that is stored in a non-erasable memory in said computer system during manufacture of said computer system. After being generated, the cryptographic keys is compared against a checksum that is stored in a configuration register in the system. If the checksum is not verified, the encryption process is halted. There are several reasons why key generation might fail. An error in reading the hardware identification may cause faulty key generation. Tampering may also result in incorrect key generation.

Claims 1, 5, 7, and 15

Applicant respectfully submits that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *See* M.P.E.P. § 2131. Furthermore, to establish prima facie obviousness of a claimed

invention, all the claim limitations must be taught or suggested by the prior art. *See* M.P.E.P §
2143.03. Applicant respectfully submits that the cited prior fails to teach or suggest at least one
limitation from each of the above-listed claims.

Olarig is generally directed to a theft protection system. *See* Olarig, Abstract. In Olarig,
a device in a computing system determines whether the device is authorized to execute based
upon a site code that is provided by the computer. *See* col. 5, lines 48-51. If the site code
matches an authorization code stored in the device, then the device is enabled for full operation.
See col. 5, lines 52-55. The authorization code is based upon a manufacture provided serial
number of the device and a site code that is associated with the computer. *See* col. 5, line 64-
col. 6, line 3. Applicant respectfully submits that Olarig fails to teach or suggest as is recited in
independent Claim 1, as amended: "generating a cryptographic key derived at least in part from
said identification code and the received user input; retrieving a checksum from a configuration
register in the personal computer; [and] verifying the generated cryptographic key, wherein
verifying comprises determining a checksum of the generated key." Similar limitations are
recited in independent Claims 5 and 7.

In the Office Actions, the Examiner took the position that Olarig generally describes
verifying a key, citing col. 9, lines 15-25 of Olarig (see First Office Action, p. 7). Applicant
respectfully submits that the cited section merely describes that its authentication process can be
performed in a power-on –self test (POST). Applicant submits there is no teaching or suggestion
that the authentication processes is used to verify a checksum of a key. Furthermore, there is no
teaching or suggestion in Olarig that the authorization process includes retrieving a key from a
configuration register.

Since the cited prior art fails to teach or suggest at least the above-limitations, Applicant
respectfully submits that these claims are in condition for allowance.

Claims 2- 6, 8-10, 12-14, and 16-18

Since Claims 2-6, 8-10, 12-14, and 16-18 each depend on one of independent Claims 1,
5, 7, and 15 Applicant respectfully submits that these claims are allowable for the reasons
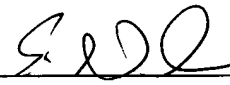discussed above and the subject matter of their own limitations.

Conclusion

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims for patentability purposes, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are not made for patentability purposes, and the claims would satisfy the statutory requirements for patentability without the entry of such amendments. In addition, such amendments do not narrow the scope of the claims. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Respectfully submitted,

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